

REMARKS

The application has been reviewed in light of the Office Action mailed July 30, 2003. At the time of the Office Action, Claims 1-19 and 26-28 were pending in this application. Claims 1-19 were rejected. Applicants have cancelled Claims 1-8 and added Claim 29-43. No new matter is presented by this amendment Applicants appreciate the Examiner's attention to the application and provide the following remarks, which will hopefully clarify the scope of the disclosure in the cited reference.

Rejections under 35 U.S.C. § 102

Claims 1-18 were rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by Uwe Maskos et al., "*Oligonucleotide hybridisations on glass supports: a novel linker for oligonucleotide synthesis and hybridisation properties of oligonucleotides synthesised in situ*" ("Maskos et al."). Applicant has cancelled Claims 1-18 without prejudice and reserves the right to pursue these claims in a continuation application.

Allowable Subject Matter

Claims 19 and 26-28 were allowed. Applicants have added new Claim 29-37 which are dependent upon Claim 19. Applicants assert that these additional claims are allowable because they present no new matter and are dependent upon an allowable base claim.

Applicants have additionally presented a new independent Claim 38 and new Claims 39-43 dependent thereon. Applicants believe that none of the rejections of Claims 1-18 are applicable to new Claim 38, which relates to a method for binding DNA to a surface comprising silica. Therefore, Applicants assert that Claims 38-43 are also allowable.

Information Disclosure Statement

Applicant would like to bring to the Examiner's attention that Applicant filed an Information Disclosure Statement on December 1, 2003. Applicant respectfully requests that the Information Disclosure Statement be considered and cited in the examination of the above-referenced application. Applicant attaches a copy of the Information Disclosure Statement and PTO Form 1449 filed December 1, 2003 for the Examiner's convenience and a copy of the postcard receipt evidencing receipt by the Patent Office.

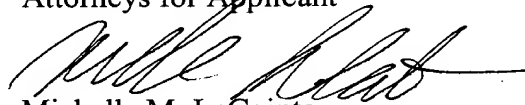
CONCLUSION

Applicant appreciates the Examiner's attention to the application. For the foregoing reasons and for other reasons readily apparent, Applicant respectfully requests reconsideration and full allowance of Claims 19 and 26-43.

Applicant believes no additional fees are due at this time, however, if any fees are due, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 02-0383 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Michelle M. LeCointe
Reg. No. 46,861

Date: July 30, 2004

Correspondence Address:

BAKER BOTTS LLP
Customer Number **23640**

Phone: 512.322.2580
Fax: 512.322.8380